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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,162	09/28/2001	John C. Goodwin III	9959.00	4085
26884	7590	02/17/2005	EXAMINER	
PAUL W. MARTIN LAW DEPARTMENT, WHQ-4 1700 S. PATTERSON BLVD. DAYTON, OH 45479-0001			WORJLOH, JALATEE	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 02/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/966,162

Applicant(s)

GOODWIN ET AL.

Examiner

Jalatee Worjloh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 24-26 is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This Office Action is responsive to the amendment filed on December 6, 2004, in which claims 1-3, 7-10, 12, 17 and 20 were amended and claims 24-26 added.

Response to Arguments

2. Applicant's arguments with respect to all claims have been considered but are moot in view of the new ground(s) of rejection.
3. Claims 1-26 have been examined.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 4-8, 10, 11, and 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by US Publication No. 2001/0018660 to Sehr.

Sehr discloses displaying valued card configuration options (i.e. "seating map") on display (i.e. "monitor"), recording customer selections of the value card configuration options in a memory (i.e. "the selection is confirmed and loaded into the visitor card"), see paragraphs [0044]-[0046], sending the selections to a value card host computer (i.e. "admission center") for

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later retrieval during a transaction in which the value card is used for payment (see paragraph [0047]), receiving at the value card host computer a data signal based upon machine reading of the value card machine readable code (permit the modules to read the card data), see paragraph [0051], lines 1-3,14-20, and associating the data in the data signal with the stored selections (see paragraph [0052]).

Referring to claims 2 and 8, Sehr discloses recording payment from a customer (see paragraph [0046]).

Referring to claims 4-6, Sehr discloses wherein the sending step comprises the substep of sending the selections over a TCP/IP connection, a phone connection and a network connection to a computer at the value card host (see paragraph [0039]).

Referring to claim 7, Sehr discloses displaying value card configuration options (i.e. “seating map”) on a display, recording customer selections of the value card configuration options in a memory, (i.e. “the selection is confirmed and loaded into the visitor card), see paragraphs [0044]-[0046], assigning a value card identification number to the value card (see paragraph [0109]), dispensing the value card (see paragraph [0048], lines 1-8), sending the selection and the value card identification number to a value host computer for storage in a memory and for later retrieval during a transaction in which the value card is used for payment (see paragraphs [00110], [0046] & [0047]). As for the step of writing data associated with the value card identification number into the value card machine readable code, this is an inherent step. Sehr teaches the card having “identification number stored therein”, which implies that the identification number was previously written onto the card (see paragraph [0110]).

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Referring to claims 10 and 11, Sehr discloses the method wherein the sending step comprises the substep of sending the selection over a network connection and a phone connection to a computer at the value card host [0039]).

Referring to claim 17, Sehr discloses a display (i.e. "monitor") for displaying value card configuration options, an input device (i.e. "touch screen") for recording customer selections of the value card configuration options (see paragraphs [0044]-[0046]), a machine code reader (i.e. "card slots") operable to machine read a value card with machine readable code and to produce a data signal based upon machine reading of the value card machine readable code (see paragraphs [0051], lines 1-3, 14-20 and [0052], lines 1-10) and a computer for controlling the display and the input device, for receiving the data signal and for sending the selections to a value card host computer for later retrieval during a transaction in which the value card is used for payment (see paragraph (see paragraph [0035], [0047] & [0051], lines 1-3 & 14-20).

Referring to claim 18, Sehr discloses means (i.e. admission center) for accepting payment from a customer (see paragraph [0046] & [0040]).

Referring to claim 19, Sehr discloses a connection to another computer at the value card host (see fig. 1, fig. 3 & paragraph [0025]).

Referring to claim 20, Sehr discloses a display (i.e. "monitor") for displaying value card configuration options, an input device (i.e. "touch screen") for recording customer selections of the value card configuration options (see paragraphs [0044]-[0046]), a computer for controlling the display and the input device (see paragraph [0035], [0040]), for assigning a value card identification number to a value card configured to be encoded with machine readable code, for encoding the value card with machine readable code comprising the value card identification

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number(see paragraph [0109]), for dispensing the value card (see paragraph [0048], lines 1-8), for establishing a connection to a value card host computer, and for sending the selections to the value card host computer via the connection for later retrieval during a transaction in which the value card is used for payment (see paragraph [0046] & [0047]).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3 and 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr as applied to claims 1 and 20 above.

Sehr discloses displaying first value card configuration options within a group of second card configuration options including “a menu of available service benefits, such as new seat assignments, additional monetary values, or related information” (See paragraph [0068], lines 1-

7). Sehr does not expressly disclose the configuration options includes total monetary value, payment amount limit at each transaction, individual goods and services, individual goods and service providers, categories of goods and services, categories of goods and services providers and purchase times and dates. However, the “menu of available service benefits” of Sehr may include any type of data relating to the configuration; therefore, the examiner notes that this menu may include options relating to total monetary value, payment amount limit at each

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transaction, individual goods and services, individual goods and service providers, categories of goods and services, categories of goods and services providers and purchase times and dates. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Sehr to explicitly teach configuration options including total monetary value, payment amount limit at each transaction, individual goods and services, individual goods and service providers, categories of goods and services, categories of goods and services providers and purchase times and dates. One of ordinary skill in the art would have been motivated to do this because it provides additional choices for the cardholder.

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr as applied to claim 7 above, and further in view of US Publication No. 2002/0194138 to Dominguez et al.

Sehr discloses a value card (see claim 7 above). Sehr does not expressly disclose determining a value card password and sending the value card password to the value card host. Dominguez et al. disclose determining a value card password and sending the value card password to the value card host (see paragraph [0096]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Sehr to include the steps of determining a value card password and sending the value card password to the value card host. One of ordinary skill in the art would have been motivated to do this because it provides security thereby reducing fraud.

9. Claims 12,13, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr in view of US Publication No. 2003/0053609 to Risafi et al.

Sehr discloses machine (i.e. "card reader") reading value card identification information from the value card machine readable code (see paragraph [0110]), displaying value card configuration options including first customer selections from the value card configuration information, recording second customer selections of the value card configuration options (see paragraphs [0044]-[0046]), and sending the second customer selection to the value card host for later retrieval during a transaction in which the value card is used for payment (see paragraph [0047]). Sehr does not expressly disclose sending the value card identification information to a value card host or obtaining value card configuration information from the value card host. Risafi et al. disclose sending the value card identification information to a value card host or obtaining value card configuration information from the value card host (see paragraph [0015], lines 16-26). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Sehr to include the steps of sending the value card identification information to a value card host and obtaining value card configuration information from the value card host. Risafi et al. disclose sending the value card identification information to a value card host or obtaining value card configuration information from the value card host. One of ordinary skill in the art would have been motivated to do this because it reads magnetically encoded information.

Referring to claim 13, Sehr discloses recording payment from a customer (see paragraph [0046]).

Referring to claims 15 and 16, Sehr discloses the method wherein the sending step comprises the substep of sending the second customer selections over a phone connection/a network connection to a computer at the value card host (see paragraph [0039]).

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10. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr and Risafi et al. as applied to claim 12 above, and further in view of Dominguez et al.

Sehr discloses a value card (see claim 12 above). Sehr does not expressly disclose determining a value card password from the value card configuration information and recording successful customer entry of the value card password prior to completing steps (d) through (f). Dominguez et al. disclose determining a value card password from the value card configuration information and recording successful customer entry of the value card password (see paragraph [0096]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Sehr to include the steps of determining a value card password from the value card configuration information and recording successful customer entry of the value card password prior to completing steps (d) through (f). One of ordinary skill in the art would have been motivated to do this because it provides security thereby reducing fraud.

11. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Publication No.2002/0055911 to Guerreri in view of Risafi et al.

Guerreri discloses a display for displaying value card configuration options (i.e. “information intended for the computer user”), see paragraph [0018], an input (i.e. “clearinghouse server computer”) for recording customer selections of the value card configuration options (see paragraph [0029], liens 1-9) and a computer for controlling the display and the input device, for establishing connection to a value card host computer and for sending the selections to a value card identification information to the value card host computer via the

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connection, for obtaining value card configuration information from the value card host computer, for sending the second customer selections to the value card host computer for later retrieval during a transaction in which the value card is used for payment (see paragraphs [0025] & [0030]). Guerreri does not expressly disclose a card reader. Risafi et al. disclose a card reader for reading value card identification information from the value card (see paragraphs [0109] & [0015], lines 16-26). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Guerreri to include a card reader. One of ordinary skill in the art would have been motivated to do this because it provides a means for reading magnetically encoded information.

Referring to claim 23, Guerreri discloses the computer also determines a value card password from the value card configuration information, and records successful customer entry of the value card password prior to the display of the first customer selections and the recording of the second customer selections (see paragraph [0030]).

Allowable Subject Matter

12. Claims 24-26 are allowed.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jalatee Worjloh whose telephone number is 703-305-0057. The examiner can normally be reached on Mondays-Thursdays 8:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306 for Regular/After Final Actions and 703-746-9443 for Non-Official/Draft.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:


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Commissioner of Patents and Trademarks
PO Box 1450
Alexandria, VA 22313-1450

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,
Arlington, V.A., Seventh floor receptionist.



JAMES P. TRAMMELL
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Jalates Worjloh
Patent Examiner
Art Unit 3621

February 8, 2005